



**ARIZONA STATE SENATE**  
***Fifty-Third Legislature, First Regular Session***

FACT SHEET FOR S.B. 1243

misconduct involving weapons; public places

Purpose

Establishes specified exemptions for violations of misconduct involving weapons related to carrying concealed weapons into public establishments or public events.

Background

Statute outlines multiple acts that are designated as *misconduct involving weapons*. A person who knowingly enters any public establishment or attends any public event while carrying a deadly weapon, unless authorized by law, commits misconduct involving weapons if that person does not remove the weapon and place it in temporary secure storage upon a reasonable request by the operator of the establishment or sponsor of the event. The misconduct is classified as a class 1 misdemeanor ([A.R.S. § 13-3102](#)).

According to statute, if an operator of a public establishment or a sponsor of a public event requests that a person carrying a deadly weapon remove their weapon, the operator or sponsor is required to provide temporary and secure storage ([A.R.S. § 31-3102.01](#)). As stipulated, the weapon storage must be readily accessible on entry and allow for immediate retrieval on exit from the establishment or event.

*Public establishment* means a structure, vehicle or craft that is owned, leased or operated by the state or political subdivision of the state. *Public event* means a specifically named or sponsored event or limited duration that is either conducted by a public entity or conducted by a private entity with a permit or license granted by a public entity ([A.R.S. § 13-3102](#)).

The Department of Public Safety is responsible for issuing permits for carry concealed weapons (CCW) to qualified individuals. A qualified individual for a CCW permit must: 1) be a resident of Arizona or a U.S. citizen; 2) be at least 21 years-old or 19 years-old in specified circumstances; 3) be free of felony convictions and indictments, unless an individual's rights have been restored; 4) does not suffer from mental illness, as outlined; 5) is not unlawfully present in the U.S.; and 6) provides adequate documentation of completing a training program or demonstrated competence with a firearm ([A.R.S. § 13-3112](#)).

There may be a fiscal impact for any agency or local government entity that chooses to ban firearms on their premises, since the agency or local government entity would be required to add security personnel and screening devices.

Provisions

1. Exempts from *misconduct involving weapons* a person who possesses a valid CCW permit and carries a deadly weapon into a public establishment or at a public event.
2. Excludes the following locations from the exemption:
  - a) any public establishment or public event that is a secured facility;
  - b) any licensed premises of a public establishment or public event with a liquor license;
  - c) any state, county or municipal judicial department, law enforcement agency or correctional facility;
  - d) any area where firearm possession is prohibited by federal law;
  - e) any university, college, community college, high school or common school;
  - f) any community college district in this state or a university under the jurisdiction of the Arizona Board of Regents;
  - g) any facilities operated by the Arizona State Hospital or by a special health care district; or
  - h) any public establishment that is a vehicle or craft.
3. Stipulates that the exemption for individuals with a concealed weapon permit does not:
  - a) relieve or limit an operator of a public establishment or a sponsor of a public event from current requirements for providing secure storage for weapons; or
  - b) limit, restrict or prohibit the rights of a private property owner, private tenant, private employer or private business entity.
4. Defines *secured facility* as:
  - a) a public establishment or public event that has security personnel and electronic weapons screening devices in place at each entrance to the public establishment or public event;
  - b) a public establishment or public event that has security personnel who electronically screen each person who enters the public establishment or public event to determine if the person is carrying a deadly weapon and the security personnel require each person who is carrying a deadly weapon to leave the weapon in possession of the security personnel who must provide temporary and secure storage for the weapon while the person is in the establishment or at the event.
5. Makes a technical change.
6. Becomes effective on the general effective date.

Prepared by Senate Research

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RH/ZD/rr